

Senate File 2265 - Introduced

SENATE FILE 2265
BY COMMITTEE ON REBUILD IOWA
(SUCCESSOR TO SSB 3096)

A BILL FOR

1 An Act establishing smart planning principles, establishing
2 guidelines for the adoption of certain comprehensive plans
3 and land development regulations, and providing for the
4 establishment of a smart planning task force.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 18B.1 Iowa smart planning
2 principles.

3 State agencies, local governments, and other public entities
4 shall consider and may apply the following principles during
5 deliberation of all appropriate planning, zoning, development,
6 and resource management decisions:

7 1. *Collaboration.* Governmental, community, and individual
8 stakeholders, including those outside the jurisdiction of the
9 entity, are encouraged to be involved and provide comment
10 during deliberation of planning, zoning, development, and
11 resource management decisions and during implementation of such
12 decisions. The state agency, local government, or other public
13 entity is encouraged to develop and implement a strategy to
14 facilitate such participation.

15 2. *Efficiency, transparency, and consistency.* Planning,
16 zoning, development, and resource management should be
17 undertaken to provide efficient, transparent, and consistent
18 outcomes. Individuals, communities, regions, and governmental
19 entities should share in the responsibility to promote the
20 equitable distribution of development benefits and costs.

21 3. *Clean, renewable, and efficient energy.* Planning, zoning,
22 development, and resource management should be undertaken to
23 promote clean and renewable energy use and increased energy
24 efficiency.

25 4. *Occupational diversity.* Planning, zoning, development,
26 and resource management should promote increased diversity
27 of employment and business opportunities, promote access to
28 education and training, expand entrepreneurial opportunities,
29 and promote the establishment of businesses in locations near
30 existing housing, infrastructure, and transportation.

31 5. *Revitalization.* Planning, zoning, development, and
32 resource management should facilitate the revitalization
33 of established town centers and neighborhoods by promoting
34 development that conserves land, protects historic resources,
35 promotes pedestrian accessibility, and integrates different

1 uses of property. Remediation and reuse of existing
2 sites, structures, and infrastructure is preferred over new
3 construction in undeveloped areas.

4 6. *Housing diversity.* Planning, zoning, development, and
5 resource management should encourage diversity in the types
6 of available housing, support the rehabilitation of existing
7 housing, and promote the location of housing near public
8 transportation and employment centers.

9 7. *Community character.* Planning, zoning, development, and
10 resource management should promote activities and development
11 that are consistent with the character and architectural style
12 of the community and should respond to local values regarding
13 the physical character of the community.

14 8. *Natural resources and agricultural protection.*
15 Planning, zoning, development, and resource management
16 should emphasize protection, preservation, and restoration of
17 environmentally sensitive land, natural resources, agricultural
18 land, and cultural and historic landscapes, and should increase
19 the availability of open spaces and recreational facilities.

20 9. *Sustainable design.* Planning, zoning, development, and
21 resource management should promote developments, buildings, and
22 infrastructure that utilize sustainable design and construction
23 standards and conserve natural resources by reducing waste and
24 pollution through efficient use of land, energy, water, air,
25 and materials.

26 10. *Transportation diversity.* Planning, zoning,
27 development, and resource management should promote expanded
28 transportation options for residents of the community.
29 Consideration should be given to transportation options that
30 maximize mobility, reduce congestion, conserve fuel, and
31 improve air quality. Priority shall be given to rail service,
32 bus service, shared-vehicle services, bicycling, and walking.

33 Sec. 2. NEW SECTION. 18B.2 Local comprehensive planning and
34 development guidelines.

35 1. For the purposes of this chapter, unless the context

1 otherwise requires:

2 *a.* "Development" means any of the following:

3 (1) Construction, reconstruction, renovation, mining,
4 extraction, dredging, filling, excavation, or drilling activity
5 or operation.

6 (2) Man-made changes in the use or appearance of any
7 structure or in the land itself.

8 (3) The division or subdivision of land.

9 (4) Any change in the intensity of use or the use of land.

10 (5) Any activity that alters a river, stream, lake, pond,
11 marsh, dune area, woodland, wetland, endangered species
12 habitat, aquifer, or other resource area.

13 *b.* "Land development regulations" means zoning, subdivision,
14 site plan, corridor map, floodplain or storm water ordinances,
15 rules, or regulations, or other governmental controls that
16 affect the use of property.

17 *c.* "Municipality" means a city or a county.

18 2. A municipality shall consider the smart planning
19 principles under section 18B.1 and may include the following
20 information, if applicable, when developing or amending
21 a comprehensive plan under chapter 335 or chapter 414 or
22 when developing or amending other local land development
23 regulations:

24 *a.* Information relating to public participation during
25 the creation of the comprehensive plan or land development
26 regulations, including documentation of the public
27 participation process, a compilation of objectives, policies,
28 and goals identified in the public comment received, and
29 identification of the groups or individuals comprising any work
30 groups or committees that were created to assist the planning
31 and zoning commission or other appropriate decision-making body
32 of the municipality.

33 *b.* Information relating to the primary characteristics
34 of the municipality and a description of how each of those
35 characteristics impacts future development of the municipality.

1 Such information may include historical information about
2 the municipality, the municipality's geography, natural
3 resources, natural hazards, population, demographics, types of
4 employers and industry, labor force, political and community
5 institutions, housing, transportation, educational resources,
6 and cultural and recreational resources. The comprehensive
7 plan or land development regulations may also identify
8 characteristics and community aesthetics that are important to
9 future development of the municipality.

10 c. Objectives, information, and programs that identify
11 current land uses within the municipality and that guide the
12 future development and redevelopment of property, consistent
13 with the municipality's characteristics identified under
14 paragraph "b". The comprehensive plan or land development
15 regulations may include information on the amount, type,
16 intensity, and density of existing land use, trends in
17 the market price of land used for specific purposes, and
18 plans for future land use throughout the municipality. The
19 comprehensive plan or land development regulations may identify
20 and include information on property that has the possibility
21 for redevelopment, a map of existing and potential land use
22 and land use conflicts, information and maps relating to
23 the current and future provision of utilities within the
24 municipality, information and maps that identify the current
25 and future boundaries for areas reserved for soil conservation,
26 water supply conservation, flood control, and surface water
27 drainage and removal. Information provided under this
28 paragraph may also include an analysis of the current and
29 potential impacts on local watersheds and air quality.

30 d. Objectives, policies, and programs to further the
31 vitality and character of established residential neighborhoods
32 and new residential neighborhoods and plans to ensure an
33 adequate housing supply that meets both the existing and
34 forecasted housing demand. The comprehensive plan or land
35 development regulations may include an inventory and analysis

1 of the local housing stock and may include specific information
2 such as age, condition, type, market value, occupancy, and
3 historical characteristics of all the housing within the
4 municipality. The comprehensive plan or land development
5 regulations may identify specific policies and programs that
6 promote the development of new housing and maintenance or
7 rehabilitation of existing housing and that provide a range of
8 housing choices that meet the needs of the residents of the
9 municipality.

10 *e.* Objectives, policies, and programs to guide future
11 development of utilities such as sanitary sewer service,
12 storm water management, water supply, solid waste disposal,
13 wastewater treatment technologies, recycling facilities,
14 telecommunications facilities, power generating plants, and
15 transmission lines. The comprehensive plan or land development
16 regulations may include estimates regarding future demand for
17 such utility services.

18 *f.* Objectives, policies, and programs to guide the future
19 development of a safe, convenient, efficient, and economical
20 transportation system. Plans for such a transportation system
21 may be coordinated with state and regional transportation
22 plans and take into consideration the need for diverse modes
23 of transportation, accessibility, improved air quality, and
24 interconnectivity of the various modes of transportation.

25 *g.* Objectives, policies, and programs to promote the
26 stabilization, retention, or expansion of economic development
27 and employment opportunities. The comprehensive plan or land
28 development regulations may include an analysis of current
29 industries and economic activity and identify economic growth
30 goals for the municipality. The comprehensive plan or land
31 development regulations may also identify locations for future
32 brownfield or grayfield development.

33 *h.* Objectives, policies, and programs addressing
34 preservation and protection of agricultural and natural
35 resources. The comprehensive plan or land development

1 regulations may address issues relating to groundwater,
2 forests, agricultural areas, environmentally sensitive areas,
3 threatened and endangered species, stream corridors, surface
4 water, floodplains, air quality, woodlands, wetlands, wildlife
5 habitats, open spaces, and parks.

6 *i.* Objectives, policies, and programs to assist future
7 development of educational facilities, cemeteries, health
8 care facilities, child care facilities, law enforcement and
9 fire protection facilities, libraries, and other governmental
10 facilities that are necessary or desirable to meet the
11 projected needs of the municipality.

12 *j.* Objectives, policies, and programs to identify
13 characteristics and qualities that make the municipality unique
14 and that are important to the municipality's heritage and
15 quality of life.

16 *k.* Objectives, policies, and programs that identify the
17 natural and other hazards that have the greatest likelihood of
18 impacting the municipality as such hazards relate to land use
19 and development decisions, as well as the steps necessary to
20 mitigate risk consistent with the local hazard mitigation plan
21 approved by the federal emergency management agency.

22 *l.* Objectives, policies, and programs for joint planning
23 and joint decision making with other municipalities or
24 governmental entities, including school districts and drainage
25 districts, for siting and constructing public facilities and
26 sharing public services. The comprehensive plan or land
27 development regulations may identify existing or potential
28 conflicts between the municipality and other local governments
29 related to future development of the municipality and may
30 include recommendations for resolving such conflicts. The
31 comprehensive plan or land development regulations may
32 also identify opportunities to collaborate and partner with
33 neighboring jurisdictions and other entities in the region for
34 projects of mutual interest.

35 *m.* A compilation of programs and specific actions necessary

1 to implement any provision of the comprehensive plan, including
2 changes to any applicable land development regulations,
3 official maps, or subdivision ordinances.

4 Sec. 3. Section 28I.4, Code 2009, is amended to read as
5 follows:

6 **28I.4 Powers and duties.**

7 1. The commission shall have the power and duty to
8 make comprehensive studies and plans for the development
9 of the area it serves which will guide the unified
10 development of the area and which will eliminate planning
11 duplication and promote economy and efficiency in the
12 ~~co-ordinated~~ coordinated development of the area and the
13 general welfare, convenience, safety, and prosperity of its
14 people. The plan or plans collectively shall be known as
15 the regional or metropolitan development plan. The plans
16 for the development of the area may include, but shall not
17 be limited to, recommendations with respect to existing
18 and proposed highways, bridges, airports, streets, parks
19 and recreational areas, schools and public institutions and
20 public utilities, public open spaces, and sites for public
21 buildings and structures; districts for residence, business,
22 industry, recreation, agriculture, and forestry; water supply,
23 sanitation, drainage, protection against floods and other
24 disasters; areas for housing developments, slum clearance
25 and urban renewal and redevelopment; location of private
26 and public utilities, including but not limited to sewerage
27 and water supply systems; and such other recommendations
28 concerning current and impending problems as may affect the
29 area served by the commission. Time and priority schedules and
30 cost estimates for the accomplishment of the recommendations
31 may also be included in the plans. The plans shall be made
32 with consideration of the smart planning principles under
33 section 18B.1. The plans shall be based upon and include
34 appropriate studies of the location and extent of present
35 and anticipated populations; social, physical, and economic

1 resources, problems and trends; and governmental conditions and
 2 trends. The commission is also authorized to make surveys,
 3 land-use studies, and urban renewal plans, provide technical
 4 services and other planning work for the area it serves and
 5 for cities, counties, and other political subdivisions in
 6 the area. A plan or plans of the commission may be adopted,
 7 added to, and changed from time to time by a majority
 8 vote of the planning commission. The plan or plans may in
 9 whole or in part be adopted by the governing bodies of the
 10 ~~co-operating~~ cooperating cities and counties as the general
 11 plans of such cities and counties. The commission may also
 12 assist the governing bodies and other public authorities or
 13 agencies within the area it serves in carrying out any regional
 14 plan or plans, and assist any planning commission, board or
 15 agency of the cities and counties and political subdivisions
 16 in the preparation or effectuation of local plans and planning
 17 consistent with the program of the commission. The commission
 18 may ~~co-operate~~ cooperate and confer, as far as possible, with
 19 planning agencies of other states or of regional groups of
 20 states adjoining its area.

21 2. A planning commission formed under the provisions of
 22 this chapter shall, upon designation as such by the governor,
 23 serve as a district, regional, or metropolitan agency for
 24 comprehensive planning for its area for the purpose of carrying
 25 out the functions as defined for such an agency by federal,
 26 state, and local laws and regulations.

27 Sec. 4. Section 329.3, Code 2009, is amended to read as
 28 follows:

29 **329.3 Zoning regulations — powers granted.**

30 Every municipality having an airport hazard area within
 31 its territorial limits may adopt, administer, and enforce
 32 in the manner and upon the conditions prescribed by this
 33 chapter, zoning regulations for such airport hazard area,
 34 which regulations may divide such area into zones and, within
 35 such zones, specify the land uses permitted, and regulate

1 and restrict, for the purpose of preventing airport hazards,
2 the height to which structures and trees may be erected or
3 permitted to grow. Regulations adopted under this chapter
4 shall be made with consideration of the smart planning
5 principles under section 18B.1.

6 Sec. 5. Section 335.5, Code 2009, is amended to read as
7 follows:

8 **335.5 Objectives.**

9 1. The regulations shall be made in accordance with a
10 comprehensive plan and designed to preserve the availability
11 of agricultural land; to consider the protection of soil
12 from wind and water erosion; to encourage efficient urban
13 development patterns; to lessen congestion in the street or
14 highway; to secure safety from fire, flood, panic, and other
15 dangers; to protect health and the general welfare; to provide
16 adequate light and air; to prevent the overcrowding of land;
17 to avoid undue concentration of population; to promote the
18 conservation of energy resources; to promote reasonable access
19 to solar energy; and to facilitate the adequate provision of
20 transportation, water, sewerage, schools, parks, and other
21 public requirements. However, provisions of this section
22 relating to the objectives of energy conservation and access
23 to solar energy shall not be construed as voiding any zoning
24 regulation existing on July 1, 1981, or to require zoning in a
25 county that did not have zoning prior to July 1, 1981.

26 2. ~~Such~~ The regulations shall be made with reasonable
27 consideration, among other things, as to the character of the
28 area of the district and the peculiar suitability of such area
29 for particular uses, and with a view to conserving the value
30 of buildings and encouraging the most appropriate use of land
31 throughout such county.

32 3. The regulations and comprehensive plan shall be made with
33 consideration of the smart planning principles under section
34 18B.1 and may include the information specified in section
35 18B.2, subsection 2.

1 4. a. A comprehensive plan recommended for adoption by
2 the zoning commission established under section 335.8, may be
3 adopted by the board of supervisors. The board of supervisors
4 may amend a proposed comprehensive plan prior to adoption. The
5 board of supervisors shall publish notice of the meeting at
6 which the comprehensive plan will be considered for adoption.
7 The notice shall be published as provided in section 331.305.

8 b. Following its adoption, copies of the comprehensive plan
9 shall be sent or made available to neighboring counties, cities
10 within the county, the council of governments or regional
11 planning commission where the county is located, and public
12 libraries within the county.

13 c. Following its adoption, a comprehensive plan may be
14 amended by the board of supervisors at any time.

15 Sec. 6. Section 335.8, Code 2009, is amended to read as
16 follows:

17 **335.8 Commission appointed.**

18 1. In order to avail itself of the powers conferred by this
19 chapter, the board of supervisors shall appoint a commission,
20 a majority of whose members shall reside within the county
21 but outside the corporate limits of any city, to be known as
22 the county zoning commission, to recommend the boundaries of
23 the various original districts, and appropriate regulations
24 and restrictions to be enforced therein. Such commission
25 shall, with due diligence, prepare a preliminary report and
26 hold public hearings thereon before submitting its final
27 report; and the board of supervisors shall not hold its public
28 hearings or take action until it has received the final report
29 of such commission. After the adoption of such regulations,
30 restrictions, and boundaries of districts, the zoning
31 commission may, from time to time, recommend to the board of
32 supervisors amendments, supplements, changes or modifications.

33 2. The zoning commission may recommend to the board of
34 supervisors for adoption a comprehensive plan pursuant to
35 section 335.5, or amendments thereto.

1 3. The zoning commission, with the approval of the board
2 of supervisors, may contract with professional consultants,
3 regional planning commissions, the Iowa department of economic
4 development, or the federal government, for local planning
5 assistance.

6 Sec. 7. Section 414.3, Code 2009, is amended to read as
7 follows:

8 **414.3 Basis of regulations.**

9 1. The regulations shall be made in accordance with a
10 comprehensive plan and designed to preserve the availability of
11 agricultural land; to consider the protection of soil from wind
12 and water erosion; to encourage efficient urban development
13 patterns; to lessen congestion in the street; to secure safety
14 from fire, flood, panic, and other dangers; to promote health
15 and the general welfare; to provide adequate light and air; to
16 prevent the overcrowding of land; to avoid undue concentration
17 of population; to promote the conservation of energy resources;
18 to promote reasonable access to solar energy; and to facilitate
19 the adequate provision of transportation, water, sewerage,
20 schools, parks, and other public requirements. However,
21 provisions of this section relating to the objectives of energy
22 conservation and access to solar energy do not void any zoning
23 regulation existing on July 1, 1981, or require zoning in a
24 city that did not have zoning prior to July 1, 1981.

25 2. ~~Such~~ The regulations shall be made with reasonable
26 consideration, among other things, as to the character of the
27 area of the district and the peculiar suitability of such area
28 for particular uses, and with a view to conserving the value
29 of buildings and encouraging the most appropriate use of land
30 throughout such city.

31 3. The regulations and comprehensive plan shall be made with
32 consideration of the smart planning principles under section
33 18B.1 and may include the information specified in section
34 18B.2, subsection 2.

35 4. a. A comprehensive plan recommended for adoption by

1 the zoning commission established under section 414.6, may be
2 adopted by the council. The council may amend the proposed
3 comprehensive plan prior to adoption. The council shall
4 publish notice of the meeting at which the comprehensive plan
5 will be considered for adoption. The notice shall be published
6 as provided in section 362.3.

7 b. Following its adoption, copies of the comprehensive plan
8 shall be sent or made available to the county in which the city
9 is located, neighboring counties and cities, the council of
10 governments or regional planning commission where the city is
11 located, and public libraries within the city.

12 c. Following its adoption, a comprehensive plan may be
13 amended by the council at any time.

14 Sec. 8. Section 414.6, Code 2009, is amended to read as
15 follows:

16 **414.6 Zoning commission.**

17 1. In order to avail itself of the powers conferred by
18 this chapter, the council shall appoint a commission, to be
19 known as the zoning commission, to recommend the boundaries of
20 the various original districts, and appropriate regulations
21 and restrictions to be enforced therein. Where a city plan
22 commission already exists, it may be appointed as the zoning
23 commission. Such commission shall, with due diligence, prepare
24 a preliminary report and hold public hearings thereon before
25 submitting its final report; and such council shall not hold
26 its public hearings or take action until it has received the
27 final report of such commission. After the adoption of such
28 regulations, restrictions, and boundaries of districts, the
29 zoning commission may, from time to time, recommend to the
30 council amendments, supplements, changes, or modifications.

31 2. The zoning commission may recommend to the council for
32 adoption a comprehensive plan pursuant to section 414.3, or
33 amendments thereto.

34 **Sec. 9. IOWA SMART PLANNING TASK FORCE.**

35 1. An Iowa smart planning task force is established

1 consisting of twenty-seven voting members and four ex officio,
2 nonvoting members.

3 2. Members of the task force shall consist of all of the
4 following:

5 a. Thirteen state agency director or administrator members
6 consisting of all of the following:

7 (1) The director of the department on aging or the
8 director's designee.

9 (2) The director of the department of economic development
10 or the director's designee.

11 (3) The secretary of agriculture and land stewardship or the
12 secretary's designee.

13 (4) The director of the department of cultural affairs or
14 the director's designee.

15 (5) The director of the department of public health or the
16 director's designee.

17 (6) The director of the department of management or the
18 director's designee.

19 (7) The director of the department of natural resources or
20 the director's designee.

21 (8) The director of the department of workforce development
22 or the director's designee.

23 (9) The director of the office of energy independence or the
24 director's designee.

25 (10) The director of the department of transportation or the
26 director's designee.

27 (11) The administrator of the homeland security and
28 emergency management division of the department of public
29 defense or the administrator's designee.

30 (12) The director of the rebuild Iowa office or the
31 director's designee.

32 (13) The state building code commissioner or the
33 commissioner's designee.

34 b. Director of community and economic development at Iowa
35 state university extension or the director's designee.

1 c. Director of the urban and regional planning program at
2 the university of Iowa or the director's designee.

3 d. Director of the institute for decision making at the
4 university of northern Iowa or the director's designee.

5 e. President of the Iowa chapter of the American planning
6 association or the president's designee.

7 f. Executive director of the Iowa association of regional
8 councils or the executive director's designee.

9 g. President of the Iowa chapter of the American institute
10 of architects or the president's designee.

11 h. Executive director of the Iowa league of cities or the
12 executive director's designee.

13 i. Executive director of the Iowa state association of
14 counties or the executive director's designee.

15 j. A representative appointed by the governor from a city
16 having a population of five thousand or less according to the
17 latest preceding certified federal census.

18 k. A representative appointed by the governor from a
19 city having a population of more than five thousand and less
20 than twenty-five thousand according to the latest preceding
21 certified federal census.

22 l. A representative appointed by the governor from a city
23 having a population of twenty-five thousand or more according
24 to the latest preceding certified federal census.

25 m. A representative appointed by the governor from a county
26 having a population of ten thousand or less according to the
27 latest preceding certified federal census.

28 n. A representative appointed by the governor from a county
29 having a population of more than ten thousand and less than
30 fifty thousand according to the latest preceding certified
31 federal census.

32 o. A representative appointed by the governor from a county
33 having a population of fifty thousand or more according to the
34 latest preceding certified federal census.

35 3. The task force shall include four members of the general

1 assembly serving as ex officio, nonvoting members, with not
2 more than one member from each chamber being from the same
3 political party. The two senators shall be appointed one each
4 by the majority leader of the senate after consultation with
5 the president of the senate, and by the minority leader of the
6 senate. The two representatives shall be appointed one each by
7 the speaker of the house of representatives after consultation
8 with the majority leader of the house of representatives, and
9 by the minority leader of the house of representatives.

10 4. The task force may establish committees and
11 subcommittees comprised of members of the task force.

12 5. Members of the task force designated in subsection 2,
13 paragraphs "j" through "o" shall serve at the pleasure of the
14 governor.

15 6. A vacancy on the task force shall be filled in the same
16 manner as the original appointment.

17 7. a. A majority of the members of the task force
18 constitutes a quorum. Any action taken by the task force
19 must be adopted by the affirmative vote of a majority of its
20 membership. A task force member's designee may vote on task
21 force matters in the absence of the member.

22 b. The task force shall elect a chairperson and vice
23 chairperson from the membership of the task force.

24 c. The task force shall meet at least four times before
25 November 15, 2010. Meetings of the task force may be called
26 by the chairperson or by a majority of the members. However,
27 the first meeting of the task force shall be called by the
28 governor.

29 d. Members of the task force shall not be compensated for
30 meeting participation or reimbursed for costs associated with
31 meeting attendance. A legislative member is not eligible for
32 per diem and expenses as provided in section 2.10.

33 8. The rebuild Iowa office and the department of management
34 shall provide staff assistance and administrative support
35 to the task force. The task force may request information

1 or other assistance from the Iowa association of regional
2 councils.

3 9. The task force shall comply with the requirements of
4 chapters 21 and 22. The rebuild Iowa office shall be the
5 official repository of task force records.

6 10. The duties of the task force shall include but are not
7 limited to the following:

8 a. Consult land use experts, representatives of cities
9 and counties, agricultural and environmental interests, urban
10 and regional planning experts, reports or information from
11 the local government innovation commission, and all other
12 information deemed relevant by task force members.

13 b. Solicit information from the general public on matters
14 related to comprehensive planning.

15 c. Evaluate state policies, programs, statutes, and rules
16 to determine whether any state policies, programs, statutes, or
17 rules should be revised to integrate the Iowa smart planning
18 principles under section 18B.1.

19 d. Develop statewide goals for comprehensive planning that
20 utilize the Iowa smart planning principles under section 18B.1,
21 and develop recommendations for a process to measure progress
22 toward achieving those goals.

23 e. Evaluate and develop incentives to conduct comprehensive
24 planning, including but not limited to state financial and
25 technical assistance.

26 f. Develop a model for regional comprehensive planning
27 within the state and recommend partnerships between state
28 agencies, local governments, educational institutions, and
29 research facilities.

30 g. Develop recommendations for administration of a state
31 comprehensive planning program that operates consistently with
32 the Iowa smart planning principles under section 18B.1 and that
33 does all of the following:

34 (1) Coordinates, facilitates, and centralizes the exchange
35 of information related to state and local planning, zoning, and

1 development between state agencies and the general assembly.

2 (2) Establishes infrastructure investment goals.

3 (3) Coordinates discussions concerning a proposed
4 geographic information system between the producers and the
5 users of such systems.

6 (4) Allows the efficient production and dissemination of
7 population and other demographic statistical forecasts.

8 (5) Creates a centralized electronic storage location for
9 all comprehensive plans adopted under chapter 335 or chapter
10 414.

11 (6) Facilitates the cooperation of state and local
12 governments with comprehensive planning, educational, and
13 research programs.

14 (7) Provides and administers technical and financial
15 assistance for state and local comprehensive planning.

16 (8) Provides information to local governments relating
17 to state and federal resources and other resources for
18 comprehensive planning.

19 11. The task force shall prepare a report that includes
20 goals, recommendations, and other information described in
21 subsection 10, to the governor and the general assembly on or
22 before November 15, 2010.

23 EXPLANATION

24 This bill creates new Code section 18B.1, which establishes
25 ten smart planning principles. State agencies, local
26 governments, and other public entities are required to
27 consider and may apply the principles during all appropriate
28 planning, zoning, development, and resource management
29 decisions. The smart planning principles encourage
30 collaboration with other groups and individuals, identify
31 the importance of efficiency, transparency, and consistency,
32 advise the use of clean and renewable energy, advise the
33 use of energy-efficient and sustainable design options,
34 encourage occupational, transportation, and housing diversity,
35 encourage revitalization, identify the importance of community

1 character, and encourage decisions that will protect natural
2 and agricultural resources.

3 Municipalities, defined as a city or a county in new
4 Code section 18B.2, are also directed to consider the smart
5 planning principles if the municipality develops or amends a
6 comprehensive plan under Code chapter 335 or Code chapter 414,
7 as applicable.

8 Under new Code section 18B.2, a municipality may also
9 consider including certain specified information in any such
10 comprehensive plan or other land development regulations.
11 The list of items specified in the bill includes information
12 relating to public participation during the creation of the
13 plan, objectives, policies, goals, and programs relating to
14 utilities, housing, transportation, economic development,
15 employment, protection of agricultural and natural resources,
16 future development of certain specified public facilities,
17 characteristics unique to the municipality, and natural or
18 other hazards. A comprehensive plan or land development
19 regulations may also include information relating to joint
20 planning and joint decision making with other governmental
21 entities. The bill provides that a comprehensive plan may
22 include a compilation of programs and specific actions to be
23 completed, including changes to any applicable land development
24 regulations, official maps, or subdivision ordinances that are
25 necessary to implement any provision of the plan.

26 The bill amends several provisions of Code chapters 335
27 and 414 relating to county and city zoning and planning. The
28 bill allows county and city zoning commissions to recommend a
29 comprehensive plan, or amendments thereto, to the county board
30 of supervisors or the city council, as applicable. The bill
31 specifies certain duties and powers of boards of supervisors
32 and city councils relating to the consideration and adoption
33 of a comprehensive plan.

34 The bill establishes an Iowa smart planning task force
35 consisting of 27 voting members and four ex officio, nonvoting

1 members from the general assembly. The voting members consist
2 of the heads of 13 specified state agencies and 14 other
3 members from specified academic programs, governmental entities
4 and organizations, and industry associations. Members of the
5 task force, other than those who are the head of a state agency
6 or from specified programs, organizations, and associations,
7 serve at the pleasure of the governor. Vacancies on the
8 task force are filled in the same manner as the original
9 appointment.

10 The task force is required to meet at least four times before
11 November 15, 2010. The bill authorizes the task force to
12 establish committees and subcommittees. Members of the task
13 force are not compensated for meeting participation and are
14 not reimbursed for costs associated with meeting attendance.
15 The rebuild Iowa office and the department of management are
16 required to provide staff assistance and administrative support
17 to the task force. The task force may request information
18 or other assistance from the Iowa association of regional
19 counties. The task force is required to comply with the
20 requirements of Code chapters 21 and 22, relating to meetings
21 and public records.

22 The bill requires the task force to consult land use experts,
23 representatives of cities and counties, agricultural and
24 environmental interests, urban and regional planning experts,
25 reports or information from the local government innovation
26 commission, and all other information deemed relevant by
27 task force members. The task force is also required to
28 solicit information from the public on matters related to
29 comprehensive planning, evaluate state policies, programs,
30 statutes, and rules to determine whether any state policies,
31 programs, statutes, or rules should be revised to integrate the
32 Iowa smart planning principles, develop statewide goals for
33 comprehensive planning that utilize the Iowa smart planning
34 principles, and develop recommendations for a process to
35 measure progress toward achieving those goals.

1 The task force is further directed to evaluate and develop
2 methods to incentivize comprehensive planning, develop a
3 model for regional comprehensive planning within the state,
4 and develop recommendations for administration of a state
5 comprehensive planning program that operates consistently with
6 the Iowa smart planning principles.

7 The bill requires the task force to prepare a report that
8 includes goals, recommendations, and other information and
9 submit it to the governor and general assembly on or before
10 November 15, 2010.